

UNITED STATES DISTRICT COURT
for the
Eastern District of Washington

Mar 14, 2025

SEAN F. MCAVOY, CLERK

UNITED STATES OF AMERICA,
Plaintiff,

v.

Jose Luis CRUZ-AGUSTIN
Defendant.

Case No.: 4:25-MJ-07040-ACE

CRIMINAL COMPLAINT

I, Christina Caballero, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of March 14, 2025, in the county of Franklin in the Eastern District of Washington, the defendant(s) violated:

Code Section
8 U.S.C. § 1326

Offense Description
Alien in the United States After Deportation

This criminal complaint is based on these facts:

On or about March 14, 2025, Jose Luis CRUZ-AGUSTIN, a citizen and national of Mexico, who theretofore on or about March 09, 2018, had been deported from the United States at San Ysidro, California, was located in the United States by Immigration and Customs Enforcement (ICE), Enforcement and Removals Operations (ERO), Deportation Officer (DO) Christina Caballero, in Franklin County, Washington, within the Eastern District of Washington.

Jose Luis CRUZ-AGUSTIN did not have the express consent of the Attorney General, or his successor, the Secretary of the Department of Homeland Security, to apply for re-entry into the United States.

I further state that I am an Immigration and Enforcement Removal Officer, and that this complaint is based on the following facts: I have read and reviewed the information in federal immigration databases that Jose Luis CRUZ-AGUSTIN is a citizen and national of Mexico who was deported from the United States at San Ysidro, California on March 09, 2018.

On March 10, 2025, Jose Luis CRUZ-AGUSTIN was arrested and booked into custody at the Franklin County Corrections Center at Pasco, WA for Driving Under the Influence.

On March 11, 2025, Officer Caballero, in the course of her official duties, determined that Jose Luis CRUZ-AGUSTIN was illegally present in the United States. Officer Caballero conducted routine vetting of law enforcement databases and open-source media platforms associated with and positively identified Jose Luis CRUZ-AGUSTIN to be the same person who was removed from the United States to Mexico on March 09, 2018. Officer Caballero also had the opportunity to review Jose Luis CRUZ-AGUSTIN's criminal history and discover prior convictions for Reentry of Removed Alien, in violation of 18 U.S.C. § 1326(a) with a sentencing enhancement pursuant to 18 U.S.C. § 1326(b)(2), from the District of Arizona in 2017, and Rape of a Child in the Third Degree, in violation of RCW 9A.44.060(1)(a), Assault in the Third Degree, in violation of RCW 9A.36.031(1)(f), and Furnishing Liquor to a Minor, RCW 66.44.270(1), from the Superior Court of Washington, County of Adams in 2015.

On March 14, 2025, Jose Luis CRUZ-AGUSTIN was encountered during a traffic stop by Officer Caballero, DO Noel Ruiz, and SDDO Jeremy Burlingame was transported to the Richland ICE office where his fingerprints were taken, further identifying him to the the same person previously removed to Mexico.

Based on my knowledge as foresaid, neither the Attorney General, nor his successor, the Secretary of the Department of Homeland Security has approved the Defendant for re-admission into the United States.



Complainant's signature

Christina Caballero, Deportation Officer, ICE

Printed name and title

Sworn to before me and signed in my presence.

Sworn to before me telephonically and signed electronically.

Date: 03/14/2025



Judge's signature



City and state: Yakima, Washington

Alexander C. Ekstrom, United States Magistrate Judge

Printed name and title